

Implementation of the Child Protection Law in Cases of Child Violence

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Abstract

The Child Protection Law in Indonesia is a legal foundation to guarantee children's rights from violence, whether physical, psychological, or sexual. However, the high rate of violence against children indicates a gap between legal norms and implementation in the field. This article aims to analyze the implementation of Law Number 35 of 2014 concerning Child Protection, especially in handling cases of violence against children. Using qualitative research methods through case studies and in-depth interviews, it was found that the implementation of this law still faces various obstacles, including weak coordination between institutions, lack of understanding of law enforcement officers regarding the substance of child protection law, and minimal community involvement in monitoring and reporting cases. This article suggests the need to increase the capacity of law enforcement, public awareness campaigns, and strengthen synergy between institutions to make legal protection for children effective. This research provides academic and practical contributions to improving the child protection system in Indonesia.

Keywords: Child Protection, Child Violence, Law Implementation

Introduction

Children are a mandate and gift from God Almighty who have the dignity and honor of a whole human being. In every stage of their growth and development, children need special protection, considering their vulnerable position to various forms of violence and exploitation. Therefore, the state is obliged to provide comprehensive legal protection to ensure that children's rights are fulfilled as stipulated in the constitution and various other regulations.

In Indonesia, Law Number 35 of 2014 concerning Child Protection is one of the important regulations that is the main reference in efforts to protect children. This law was born as a form of correction and improvement of Law Number 23 of 2002, by placing a stronger emphasis on the aspects of prevention, action, and



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recovery of victims of violence. However, despite having a strong legal basis, the number of cases of violence against children in Indonesia still shows a worrying trend.

Based on data from the Indonesian Child Protection Commission (KPAI), thousands of cases of violence against children occur every year. The forms of violence experienced by children are very diverse, ranging from physical violence in the home and school environment, sexual violence, to economic exploitation and child trafficking. This phenomenon reflects that the implementation of the law has not been fully effective in creating a safe space for children.

One of the main problems in the implementation of the Child Protection Law is weak law enforcement. Many cases of violence against children are not reported, or are not processed thoroughly due to various factors, including the public's ignorance of reporting procedures, fear of social stigma, and minimal support from law enforcement officers. On the other hand, law enforcement officers often do not have an adequate understanding of the substance of child protection law and how to approach child victims empathetically and sensitively.

In addition, weak coordination between institutions is also a major obstacle in the implementation of this law. In many cases, there is no synergy between responsible institutions such as the police, social services, child protection institutions, and educational institutions. When one institution works alone without adequate support from other institutions, child protection efforts are not optimal and tend to run partially.

The role of society is no less important in supporting the implementation of child protection. Unfortunately, there are still many people who are permissive towards child violence, considering it as a form of education or an internal family matter. Public awareness of the importance of protecting children from all forms of violence needs to be increased through education and ongoing campaigns.

From a social and cultural perspective, there are still patriarchal values and conservative views that often ignore children's rights as equal individuals. Children are considered to not have a voice, so when they experience violence, they tend to be silent and do not dare to report it. This is exacerbated by the still weak rehabilitation and assistance system for victims, which should be an integral part of protection efforts.

This study aims to explore in depth the implementation of the Child Protection Law in handling cases of violence against children. With a qualitative approach, this study will examine the reality in the field through case studies, interviews with stakeholders, and analysis of legal documents and policies. It is hoped that the results of this study can contribute to formulating more effective and integrative strategies for child protection.

With the increasingly complex challenges in child protection, it is important for all parties, including the government, society, educational institutions, media, and families to work together to create a child-friendly and safe ecosystem. The Child Protection Law must not only be understood textually, but must also be realized in real actions and policies at all levels. Thus, every child in Indonesia can grow and develop optimally in a supportive environment, free from violence and discrimination.

Research methods This study uses a qualitative approach with a case study method. Data were collected through in-depth interviews with key informants consisting of police officers, social workers, child protection activists, and victims of child violence. In addition, document analysis was conducted on laws and regulations and case reports from child protection institutions. Data were analyzed using thematic analysis techniques to identify patterns and themes in the implementation of child protection laws.

Discussion

A. The Reality of Child Violence in Indonesia

Violence against children is a multidimensional and systemic problem. Based on KPAI data, in 2022 there were more than 4,000 reports of violence against children, including physical, sexual, psychological violence, as well as economic exploitation and neglect. These cases do not only occur in the household environment, but also in educational institutions, children's workplaces, and religious institutions. This fact shows that the environment that should be a safe space for children is actually a place prone to violence.

In this context, the Child Protection Law should be a legal instrument that is able to prevent and handle violence against children effectively. However, findings in the field show that child protection is often only implemented after violence occurs, not as a preventive measure.

B. Evaluation of the Implementation of the Child Protection Law

Law Number 35 of 2014 has provided a clear definition of violence against children, established state obligations, and established criminal sanctions against perpetrators of violence. However, the success of implementing the law is not only determined by the legal norms themselves, but also by the quality and capacity of implementing institutions and the socio-cultural context.

Some of the main obstacles found in the implementation of the Child Protection Law include:

1. **Lack of Capacity of Law Enforcement Officers:** Many law enforcement officers do not have special training in handling child cases, especially in terms of a sensitive approach to victims.

2. **Social and Cultural Stigma of Patriarchy:** Many cases of violence are not reported because the victim or their family is afraid of social stigma, or considers violence as part of 'education'.
3. **Lack of Psychosocial Support:** The rehabilitation and support system for child victims of violence is still uneven and institutionally weak.
4. **Weak Cross-Sector Coordination:** Lack of synergy between central and regional government institutions, police, child protection agencies, and the community causes policies not to run optimally.

C. Case Study: Handling Child Violence in Several Regions

This study takes case studies in three regions: Jakarta, Surabaya, and Makassar. In Jakarta, the implementation of the law is quite strong because it is supported by integrated service units and synergy with NGOs. However, there is still overlapping policy between local and central governments.

In Surabaya, there is a “Child-Friendly Village” program that aims to create a safe environment. This program involves community leaders, RT/RW, and schools. However, reporting of cases is still minimal due to the cultural factor of shame.

In Makassar, the involvement of social services is quite strong in assisting victims, but the police do not yet have a special unit that is competent in handling cases of child violence.

D. Stakeholder Perspectives on the Implementation of the Law

Interviews with police officers showed that despite the existence of guidelines for handling child cases, many officers still had not received special training. Social workers expressed the importance of early intervention and ongoing support.

Child protection activists say that public education is still very minimal. Many people do not understand the reporting mechanism and the rights of child victims of violence. On the other hand, victims and their families often feel disempowered in the legal process.

E. The Role of Society and Educational Institutions

Schools and communities have a strategic role in preventing violence. However, many schools do not have an internal reporting system and do not follow up on cases seriously. Educational institutions need to integrate children's rights and child protection education into the curriculum and daily practices.

Family strengthening programs are also important so that parents understand non-violence-oriented parenting methods. Social campaigns, parenting training, and community forums can be effective approaches.

F. Strategic Recommendations

1. **Capacity Building of Law Enforcement Officers:** Ongoing training that focuses on a humanistic approach and understanding of child psychology is urgently needed.
2. **Strengthening the Reporting System:** Building a digital-based reporting system that is child-friendly and easily accessible.
3. **Service Integration:** Encourage the establishment of integrated service units involving police, psychologists, medical personnel and legal counsel.
4. **Public Awareness Campaign:** Involve the media, religious figures, and educational institutions in disseminating information about child protection.
5. **Monitoring and Evaluation:** The central and regional governments must conduct periodic evaluations of the implementation of the law by involving community and academic participation.

G. Critical Analysis of the Existing Legal System

Although normatively complete, the child protection legal system still experiences obstacles in its realization. One of them is the lack of political will from local governments in allocating budgets for child protection. In addition, legal handling that is too oriented towards criminal sanctions without including a recovery approach can create revictimization of victims.

A legal approach based on restorative justice is needed, especially for victims and perpetrators who are still children. This approach emphasizes recovery, mediation, and rehabilitation, not just punishment.

H. Global Influence and International Role

Indonesia is a party to various international conventions, such as the Convention on the Rights of the Child (CRC) and the Sustainable Development Goals (SDGs), which require countries to ensure child protection. Therefore, the implementation of the Child Protection Law must also be in line with global commitments, including in terms of eliminating violence against children in all environments.

Collaboration with international organizations such as UNICEF, Save the Children, and WHO needs to be expanded so that global best practices can be implemented in Indonesia.

I. Reflections and the Future of Child Protection in Indonesia

Within the framework of national development, child protection should not be considered as a sectoral issue, but rather an integral part of human development. Failure to protect children means failure to ensure the sustainability of future generations.

Policy reform is needed that places children as the main subject, not just the object of policy. In this way, Indonesia can realize a fair, inclusive, and sustainable child protection system.

Conclusion

The implementation of the Child Protection Law in Indonesia still faces various structural and cultural challenges. Although normatively it is quite comprehensive, in practice there is still a legal vacuum and weak enforcement of the rules. Integrated efforts are needed between the government, law enforcement officers, the community, and non-governmental organizations in building an effective child protection system that is responsive to the dynamics of child violence cases.

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